

REMARKS

Applicants reply to the Office Action mailed on April 6, 2010, within three months. Applicants amend various claims and cancel claim 30 without prejudice to filing one or more claims having similar subject matter. Thus, claims 1-7, 14-15, 19-22, 27-29 and 31-32 (6 independent, 18 total) remain pending in the application. Support for the amendments may be found in the originally-filed specification, claims, and figures. No new matter is introduced by the amendments. Reconsideration of this application is respectfully requested.

§ 101 Rejections

The Examiner rejects claims 14 and 15 under 35 U.S.C. § 101 because the claimed invention is directed to non-statutory subject matter. Applicants respectfully disagree with the Examiner's rejection. However, to expedite prosecution, Applicants amend independent claims 14 and 15 to "non-transitory" and request this rejection be withdrawn.

§103 Rejections

The Examiner rejects claims 1-4, 14, 19, 20 and 27 under 35 U.S.C. §103(a) as being unpatentable over Barron, U.S. Patent No. 6,665,709 ("Barron") in view of Adduci, Jr. et al., U.S. Patent No. 7,343,334 ("Adduci"), in view of Novoa et al., U.S. Patent No. 6,636,973 ("Novoa"), and further in view of Wilson, U.S. Publication No. 2001/0054101 ("Wilson"). Furthermore, the Examiner rejects claims 5-7, 15, 21 and 22 under 35 U.S.C. §103(a) as being unpatentable over Barron, Adduci, Novoa, Wilson and further in view of Meffert et al., U.S. Pub. No. 2002/0059144 ("Meffert"). In addition, the Examiner rejects claims 28, 29, and 32 under 35 U.S.C. §103(a) as being unpatentable over Barron, Adduci, Novoa, and Wilson in further view of Caronni et al., U.S. Patent No. 7,336,790 ("Caronni"). Furthermore, the Examiner rejects claims 30 and 31 under 35 U.S.C. §103(a) as being unpatentable over Barron, Adduci, Novoa and Wilson, and further in view of Boebert et al., U.S. Patent No. 6,772,332 ("Boebert"). Applicants respectfully disagree with the Examiner's rejection. However, to expedite prosecution, Applicants amend independent claims 1, 5, 14, 15, 19 and 21 and request this rejection be withdrawn.

With respect to the rejection of claim 30, the Examiner states that the modified Barron, Adduci, Novoa and Wilson system fails to explicitly disclose restricting the authentication to specific periods of high security alerts. (Office Action, p. 9). However, the Examiner further

states that Boebert discloses restricting the authentication to specific periods of high security alerts. The Examiner cites that official data is an alert of high security. (Office Action, p. 9). Boebert discloses that “the invention permits the sending of ‘official’ data or transactions in which the identity of the initiating individual is shielded from the Public Network and only the organizational identity is authenticated.” (Boebert, col. 30, ln. 63-67). Applicants strongly assert that the teaching of “official” data is not related to an alert of high security, but is instead merely analogous to performing a transaction using a proxy identity in place of a personal identity. Applicants’ contention is supported by the teaching that “[t]his facility is useful when the nature of the transaction or data could make the Client open to unwanted attention, harassment, or retaliation.” (Boebert, col. 30, ln. 67 – col. 31, ln. 2).

Thus, the cited references do not disclose or contemplate “**restricting at least one of the first method of authentication or the second method of authentication to specific periods of high security alerts**” as recited in independent claim 1 (emphasis added) and as similarly recited by independent claims 5, 14, 15, 19 and 21.

For at least these reasons, Applicants respectfully submit that none of the cited references, alone or in combination, disclose or contemplate all of the elements of independent claims 1, 5, 14, 15, 19 and 21, and Applicants therefore respectfully submit that independent claims 1, 5, 14, 15, 19 and 21 are allowable over the cited references.

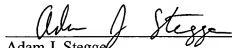
Dependent claims 2-4, 6-7, 20, 22, 27-29 and 31-32 variously depend from independent claims 1, 5, 14, 15, 19 and 21, so dependent claims 2-4, 6-7, 20, 22, 27-29 and 31-32 are allowable over the cited references for the reasons set forth above, in addition to their own unique features, some of which are stated above.

In view of the foregoing, Applicants respectfully submit that the currently pending claims (6 independent, 18 total) are in condition for allowance. A Notice of Allowance is earnestly solicited at the earliest possible date. If the Examiner believes that a telephone conference would be useful in moving the application forward to allowance, please contact me at 602-382-6306.

Applicants authorizes and respectfully request that any fees due (including extension fees) be charged to Deposit Account No. 19-2814. **This statement does NOT authorize the payment of the issue fee.**

Respectfully submitted,

Dated: July 6, 2010


Adam J. Stegge
Reg. No. 63,297

SNELL & WILMER L.L.P.
400 E. Van Buren
One Arizona Center
Phoenix, Arizona 85004-2202
Phone: 602-382-6306
Fax: 602-382-6070
E-mail: astegge@swlaw.com